

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Sweeney, Patrick J.

Title:

VERTEBRAL PROSTHESIS

Appl. No.:

10/686,998

Filing Date:

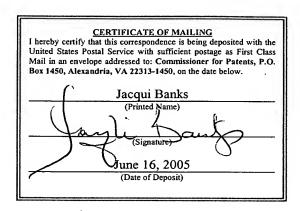
10/16/2003

- Examiner:

Barrett, Thomas C.

Art Unit:

3738



## RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Examiner's election/restriction requirement dated May 19, 2005, Applicant elects to prosecute the Examiners Invention I, claims 1-43 and 61-70. Further, Applicants elect to prosecute the Examiner's Species I, corresponding to Figures 1-14, and Subspecies (i), corresponding to Figure 21. Of the claims identified above for Invention I, claims 1-17, 19-27, 29-36, 38-42, 61-65, and 67-70 read on Species I, Subspecies (i).

Applicant notes that independent claims 12, 21, 32, 39, and 61, chosen for prosecution, are generic to dependent claims 18, 28, 37, 43, and 66 respectively. Accordingly, Applicant respectfully requests that claims 18, 28, 37, 43, and 66 be considered upon allowance of the generic independent claims.

Respectfully submitted,

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